

Express Terms

Minimum Standards for Local Detention Facilities Title 15-Crime Prevention and Corrections Division 1, Chapter 1, Subchapter 4

1004. Severability.

If any article, section, subsection, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the State ~~Board of Corrections~~ Corrections Standards Authority, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of these regulations.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1006. Definitions.

The following definitions shall apply:

“Administering medication,” as it relates to managing legally obtained drugs, means the act by which a single dose of medication is given to a patient. The single dose of medication may be taken either from stock (undispensed), or dispensed supplies.

“Administering segregation” means the physical separation of different types of inmates from each other as specified in Penal Code Sections 4001 and 4002, and Section 1053 of these regulations. Administrative segregation is accomplished to provide that level of control and security necessary for good management and the protection of staff and inmates.

“Alternate means of compliance” means a process for meeting or exceeding standards in an innovative way, after a pilot project evaluation, approved by the ~~Board of Corrections~~ Standards Authority pursuant to an application.

“Average daily population” means the average number of inmates housed daily during the last fiscal year.

“Contact” means ~~communications, whether verbal or visual, or immediate physical presence. any physical or sustained sight or sound contact between juveniles in detention and incarcerated adults. Sight contact is clear visual contact between adult inmates and juveniles within close proximity to each other. Sound contact is direct oral communication between adult inmates and juvenile offenders.~~

“~~Board of Corrections~~ Corrections Standards Authority” means the State ~~Board of Corrections~~ Corrections Standards Authority, which board acts by and through its executive director, deputy directors, and field representatives.

“Court Holding facility” means a local detention facility constructed within a court building after January 1, 1978, used for the confinement of persons solely for the purpose of a court appearance for a period not to exceed 12 hours.

“Custodial personnel” means those officers with the rank of deputy, correctional officer, patrol persons, or other equivalent sworn or civilian rank whose primary duties are the supervision of inmates.

“Delivering medication,” as it relates to managing legally obtained drugs, means the act of providing one or more doses of a prescribed and dispensed medication to a patient.

“Developmentally disabled” means those persons who have a disability which originates before an individual attains age 18, continues, or can be expected to continue indefinitely, and constitutes a substantial disability for that individual. This term includes mental retardation, cerebral palsy, epilepsy, and autism, as well as disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals.

“Direct visual observation” means direct personal view of the inmate in the context of his/her surroundings without the aid of audio/video equipment. Audio/video monitoring may supplement but not substitute for direct visual observation.

“Disciplinary isolation” means that punishment status assigned an inmate as the result of violating facility rules and which consists of confinement in a cell or housing unit separate from regular jail inmates.

“Dispensing,” as it relates to managing legally obtained drugs, means the interpretation of the prescription order, the preparation, repackaging, and labeling of the drug based upon a prescription from a physician, dentist, or other prescriber authorized by law.

“Disposal,” as it relates to managing legally obtained drugs, means the destruction of medication or its return to the manufacturer or supplier.

“Emergency” means any significant disruption of normal facility procedure, policies, or activities caused by a riot, fire, earthquake, attack, strike, or other emergent condition.

“Emergency medical situations” means those situations where immediate services are required for the alleviation of severe pain, or immediate diagnosis and treatment of unforeseeable medical conditions are required, if such conditions would lead to serious disability or death if not immediately diagnosed and treated.

“Exercise” means physical exertion of large muscle groups.

“Facility/system administrator” means the sheriff, chief of police, chief probation officer, or other official charged by law with the administration of a local detention facility/system.

“Facility manager” means the jail commander, camp superintendent, or other comparable employee who has been delegated the responsibility for operating a local detention facility by a facility administrator.

“Health authority” means that individual or agency that is designated with responsibility for health care policy pursuant to a written agreement, contract or job description. The health authority may be a physician, an individual or health agency. In those instances where medical and mental health services are provided by separate entities, decisions regarding mental health services shall be made in cooperation with the mental health director. When this authority is other than a physician, final clinical decisions rest with a single designated responsible physician.

“Health care” means medical, mental health and dental services.

~~“Inmate worker,” as used in Articles 8 and 9, means an adult in a jail or lockup assigned to perform designated tasks outside of his/her cell or dormitory, for any length of time.~~

“Jail,” as used in Article 8, means a Type II or III facility as defined in the “Minimum Standards for Local Detention Facilities.”

“Labeling,” as it relates to managing legally obtained drugs, means the act of preparing and affixing an appropriate label to a medication container.

“Labeling,” as it relates to managing legally obtained drugs, means the act of preparing and affixing an appropriate label to a medical container.

“Law enforcement facility” means a building that contains a Type I Jail, ~~or~~ Temporary Holding Facility, or Lockup. It does not include a Type II or III jail, which has the purpose of detaining adults, charged with criminal law violations while awaiting trial or sentenced adult criminal offenders.

“Legend drugs” are any drugs defined as “dangerous drugs” under Chapter 9, Division 2, Section 4211 of the California Business and Professions Code. These drugs bear the legend, “Caution Federal Law Prohibits Dispensing Without a Prescription.” The Food and Drug Administration (FDA) has determined because of toxicity or other potentially harmful effects that these drugs are not safe for use except under the supervision of a health care practitioner licensed by law to prescribe legend drugs.

“Licensed health personnel” includes but is not limited to the following classification of personnel: physician/psychiatrist, dentist, pharmacist, physician’s assistant, registered nurse/nurse practitioner/public health nurse, licensed vocational nurse, and psychiatric technician.

“Living areas” means those areas of a facility utilized for the day-to-day housing and activities of inmates. These areas do not include special use cells such as sobering, safety, and holding or staging cells normally located in receiving areas.

“Local detention facility” means any city, county, city and county or regional jail, camp, court holding facility, or other correctional facility, whether publicly or privately operated, used for confinement of adults or of both adults and minors, but does not include that portion of a facility for confinement of both adults and minors which is devoted only to the confinement of minors.

“Local detention system” means all of the local detention facilities that are under the jurisdiction of a city, county or combination thereof whether publicly or privately operated. Nothing in the standards are to be construed as creating enabling language to broaden or restrict privatization of local detention facilities beyond that which is contained in statute.

“Local Health Officer” means that licensed physician who is appointed pursuant to Health and Safety Code Section 101000 to carry out duly authorized orders and statutes related to public health within their jurisdiction.

“Lockup” means a locked room or secure enclosure under the control of a peace officer or custodial officer that is primarily used for the temporary confinement of adults who have recently been arrested; sentenced prisoners who are inmate workers may reside in the facility to carry out appropriate work.

“Managerial custodial personnel” means the jail commander, camp superintendent, or other comparable employee who has been delegated the responsibility for operating a local detention facility by a facility administrator.

“Mental Health Director,” means that individual who is designated by contract, written agreement or job description to have administrative responsibility for the facility or system mental health program.

“Non-secure custody” means that a minor’s freedom of movement in a law enforcement facility is controlled by the staff of the facility; and

- (1) the minor is under constant direct visual observation by the staff;
- (2) the minor is not locked in a room or enclosure; and,
- (3) the minor is not physically secured to a cuffing rail or other stationary object.

“Non-sentenced inmate,” means an inmate with any pending local charges or one who is being held solely for charges pending in another jurisdiction.

“Over-the-counter (OTC) Drugs,” as it relates to managing legally obtained drugs, are medications which do not require a prescription (non-legend).

“People with disabilities” includes, but is not limited to, persons with a physical or mental impairment that substantially limits one or more of their major life activities or those persons with a record of such impairment or perceived impairment that does not include substance use disorders resulting from current illegal use of a controlled substance.

“Pilot Project” means an initial short-term method to test or apply an innovation or concept related to the operation, management or design of a local detention facility pursuant to application to, and approval by, the ~~Board of Corrections~~Corrections Standards Authority.

“Procurement,” as it relates to managing legally obtained drugs, means the system for ordering and obtaining medications for facility stock.

“Psychotropic medication” means any medication prescribed for the treatment of symptoms of psychoses and other mental and emotional disorders.

“Rated capacity” means the number of inmate occupants for which a facility’s single and double occupancy cells or dormitories, except those dedicated for health care or disciplinary isolation housing, were planned and designed in conformity to the standards and requirements contained in Title 15 and Title 24.

“Regional Center for Developmentally Disabled” means those private agencies throughout the state, funded through the Department of Developmental Services, which assure provision of services to persons with developmental disabilities. Such centers will be referred to as regional centers in these regulations.

“Remodel” means to alter the facility structure by adding, deleting, or moving any of the buildings’ components thereby affecting any of the spaces specified in Title 24, Section 2-470A.

“Repackaging,” as it relates to managing legally obtained drugs, means the transferring of medications from the original manufacturers’ container to another properly labeled container.

“Repair” means to restore to original condition or replace with like-in-kind.

“Safety checks” means regular, intermittent and prescribed direct, visual observation to provide for the health and welfare of inmates.

“Secure detention” means that a minor being held in temporary custody in a law enforcement facility is locked in a room or enclosure and/or is physically secured to a cuffing rail or other stationary object.

“Security glazing” means a glass/polycarbonate composite glazing material designed for use in detention facility doors and windows and intended to withstand measurable, complex loads from deliberate and sustained attacks in a detention environment.

“Sentenced inmate,” means an inmate that is sentenced on all local charges.

“Shall” is mandatory; “may” is permissive.

“Sobering cell” as referenced in Section 1056, refers to an initial “sobering up” place for arrestees who are sufficiently intoxicated from any substance to require a protected environment to prevent injury by falling or victimization by other inmates.

“Storage,” as it relates to legally obtained drugs, means the controlled physical environment used for the safekeeping and accounting of medications.

“Supervision in a law enforcement facility” means that a minor is being directly observed by the responsible individual in the facility to the extent that immediate intervention or other required action is possible.

“Supervisory custodial personnel” means those staff members whose duties include direct supervision of custodial personnel.

“Temporary custody” means that the minor is not at liberty to leave the law enforcement facility.

“Temporary Holding facility” means a local detention facility constructed after January 1, 1978, used for the confinement of persons for 24 hours or less pending release, transfer to another facility or appearance in court.

“Type I facility” means a local detention facility used for the detention of persons for not more than 96 hours excluding holidays after booking. Such a Type I facility may also detain persons on court order either for their own safekeeping or sentenced to a city jail as an inmate worker, and may house inmate workers sentenced to the county jail provided such placement in the facility is made on a voluntary basis on the part of the inmate. As used in this section, an inmate worker is defined as a person assigned to perform designated tasks outside of his/her cell or dormitory, pursuant to the written policy of the facility, for a minimum of four hours each day on a five day scheduled work week.

“Type II facility” means a local detention facility used for the detention of persons pending arraignment, during trial, and upon a sentence of commitment.

“Type III facility” means a local detention facility used only for the detention of convicted and sentenced persons.

“Type IV facility” means a local detention facility or portion thereof designated for the housing of inmates eligible under Penal Code Section 1208 for work/education furlough and/or other programs involving inmate access into the community.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1007. Pilot Projects.

The pilot project is the short-term method used by a local detention facility/system, approved by the ~~Board of Corrections~~ Corrections Standards Authority, to evaluate innovative programs, operations or concepts which meet or exceed the intent of these regulations.

The ~~Board of Corrections~~ Corrections Standards Authority may, upon application of a city, county or city and county, grant pilot project status to a program, operational innovation or new concept related to the operation and management of a local detention facility. An application for a pilot project shall include, at a minimum, the following information:

- (a) ~~The~~ regulations which the pilot project will affect.
- (b) Review of case law, including any lawsuits brought against the applicant local detention facility, pertinent to the proposal.
- (c) The applicant's history of compliance or non-compliance with standards.
- (d) A summary of the "totality of conditions" in the facility or facilities, including but not limited to;
 - (1) program activities, exercise and recreation;
 - (2) adequacy of supervision;
 - (3) types of inmates affected; and,
 - (4) inmate classification procedures.
- (e) A statement of the goals the pilot project is intended to achieve, the reasons a pilot project is necessary and why the particular approach was selected.
- (f) The projected costs of the pilot project and projected cost savings to the city, county, or city and county, if any.
- (g) A plan for developing and implementing the pilot project including a time line where appropriate.
- (h) A statement of how the overall goal of providing safety to staff and inmates will be achieved.

The ~~Board of Corrections~~ Corrections Standards Authority shall consider applications for pilot projects based on the relevance and appropriateness of the proposed project, the completeness of the information provided in the application, and staff recommendations.

Within 10 working days of receipt of the application, Board staff will notify the applicant, in writing, that the application is complete and accepted for filing, or that the application is being returned as deficient and identifying what specific additional information is needed. This does not preclude the ~~Board of Corrections~~ Corrections Standards Authority members from requesting additional information necessary to make a determination that the pilot project proposed actually meets or exceeds the intent of these regulations at the time of the hearing. When complete, the application will be placed on the agenda for the Board's consideration at a regularly scheduled meeting. The written notification from the Board to the applicant shall also include the date, time and location of the meeting at which the application will be considered. (The Board meeting schedule for the current calendar year is available through its office in Sacramento.)

When an application for a pilot project is approved by the ~~Board of Corrections~~ Corrections Standards Authority, the Board shall notify the applicant, in writing within 10 working days of the meeting, of any conditions included in the

approval and the time period for the pilot project. Regular progress reports and evaluative data on the success of the pilot project in meeting its goals shall be provided to the Board. If disapproved, the applicant shall be notified in writing, within 10 working days of the meeting, the reasons for said disapproval. This application approval process may take up to 90 days from the date of receipt of a complete application.

Pilot project status granted by the ~~Board of Corrections~~ Corrections Standards Authority shall not exceed twelve months after its approval date. When deemed to be in the best interest of the application, the ~~Board of Corrections~~ Corrections Standards Authority may extend the expiration date for up to an additional twelve months. Once a city, county, or city and county successfully completes the pilot project evaluation period and desires to continue with the program, it may apply for an alternate means of compliance as described in Section 1008 of these regulations.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6029, Penal Code.

1008. Alternate Means of Compliance.

The alternate means of compliance is the long-term method used by a local detention facility/system, approved by the ~~Board of Corrections~~ Corrections Standards Authority, to encourage responsible innovation and creativity in the operation of California's local detention facilities. The ~~Board of Corrections~~ Corrections Standards Authority may, upon application of a city, county, or city and county, consider alternate means of compliance with these regulations after the pilot project process has been successfully evaluated (as defined in Section 1007). The city, county, or city and county must present the completed application to the ~~Board of Corrections~~ Corrections Standards Authority no later than 30 days prior to the expiration of its pilot project.

Applications for alternate means of compliance must meet the spirit and intent of improving jail management, shall be equal to or exceed the existing standard(s) and shall include reporting and evaluation components. An application for alternate means of compliance shall include, at a minimum, the following information:

- (a) ~~R~~review of case law, including any lawsuits brought against the applicant local detention facility, pertinent to the proposal.
- (b) The applicant's history of compliance or non-compliance with standards.
- (c) A summary of the "totality of conditions" in the facility or facilities, including but not limited to:
 - (1) program activities, exercise and recreation;
 - (2) adequacy of supervision;
 - (3) types of inmates affected; and,
 - (4) inmate classification procedures.
- (d) A statement of the problem the alternate means of compliance is intended to solve, how the alternative will contribute to a solution of the problem and why it is considered an effective solution.
- (e) The projected costs of the alternative and projected cost savings to the city, county, or city and county if any.
- (f) A plan for developing and implementing the alternative including a time line where appropriate.

(g) A statement of how the overall goal of providing safety to staff and inmates was achieved during the pilot project evaluation phase (Section 1007).

The ~~Board of Corrections~~Corrections Standards Authority shall consider applications for alternate means of compliance based on the relevance and appropriateness of the proposed alternative, the completeness of the information provided in the application, the experiences of the jurisdiction during the pilot project, and staff recommendations.

Within 10 working days of receipt of the application, Board staff will notify the applicant, in writing, that the application is complete and accepted for filing, or that the application is being returned as deficient and identifying what specific additional information is needed. This does not preclude the ~~Board of Corrections~~Corrections Standards Authority members from requesting additional information necessary to make a determination that the alternate means of compliance proposed meets or exceeds the intent of these regulations at the time of the hearing. When complete, the application will be placed on the agenda for the Board's consideration at a regularly scheduled meeting. The written notification from the Board to the applicant shall also include the date, time and location of the meeting at which the application will be considered. (The Board meeting schedule for the current calendar year is available through its office in Sacramento.)

When an application for an alternate means of compliance is approved by the ~~Board of Corrections~~Corrections Standards Authority, the Board shall notify the applicant, in writing within 10 working days of the meeting, of any conditions included in the approval and the time period for which the alternate means of compliance shall be permitted. The ~~Board of Corrections~~Corrections Standards Authority may require regular progress reports and evaluative data as to the success of the alternate means of compliance. If disapproved, the applicant shall be notified in writing, within 10 working days of the meeting, the reasons for said disapproval. This application approval process may take up to 90 days from the date of receipt of a complete application.

The ~~Board of Corrections~~Corrections Standards Authority may revise the minimum jail standards during the next biennial review (reference Penal Code Section 6030) based on data and information obtained during the alternate means of compliance process. If, however, the alternate means of compliance does not have universal application, a city, county, or city and county may continue to operate under this status as long as they meet the terms of this regulation.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6029, Penal Code.

1012. Emergency Suspensions of Standards or Requirements.

Nothing contained herein shall be construed to deny the power to any facility administrator to temporarily suspend any standard or requirement herein prescribed in the event of any emergency which threatens the safety of a local detention facility, its inmates or staff, or the public. Only such regulations directly affected by the emergency may be suspended. The facility administrator shall notify the ~~Board of Corrections~~Corrections Standards Authority in writing in the event that such a suspension lasts longer than three days. In no event shall such a suspension continue more than 15 days without the approval of the chairperson of the ~~Board of Corrections~~Corrections Standards Authority for a time specified by him/her.

NOTE: Authority cited: section 6030, Penal Code. Reference: Section 6030 Penal Code.

1013. Criminal History Information.

Such criminal history information as is necessary for the conduct of facility inspections as specified in Section 6031.1 of the Penal Code and detention needs surveys as specified in Section 6029 of the Penal Code shall be made available to the staff of the ~~Board of Corrections~~ Corrections Standards Authority. Such information shall be held confidential except that published reports may contain such information in a form which does not identify an individual.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Sections 6029, 6030, and 11105 Penal Code.

1018. Appeal.

The appeal hearing procedures are intended to provide a review concerning the ~~Board of Corrections~~ Corrections Standards Authority application and enforcement of standards and regulations in local detention facilities and lockups. A county, city, or city and county facility may appeal on the basis of alleged misapplication, capricious enforcement of regulations, or substantial differences of opinion as may occur concerning the proper application of regulations or procedures.

(a) Levels of Appeal.

(1) There are two levels of appeal as follows:

(A) appeal to the Executive Director; and,

(B) appeal to the ~~Board of Corrections~~ Corrections Standards Authority.

(2) An appeal shall first be filed with the Executive Director.

(b) Appeal to the Executive Director.

(1) If a county, city, or city and county facility is dissatisfied with an action of the ~~Board of Corrections~~ Corrections Standards Authority staff, it may appeal the cause of the dissatisfaction to the Executive Director. Such appeal shall be filed within 30 calendar days of the notification of the action with which the county or city is dissatisfied.

(2) The appeal shall be in writing and:

(A) state the basis for the dissatisfaction;

(B) state the action being requested of the Executive Director; and,

(C) attach any correspondence or other documentation related to the cause for dissatisfaction.

(c) Executive Director Appeal Procedures.

(1) The Executive Director shall review the correspondence and related documentation and render a decision on the appeal within 30 calendar days except in those cases where the appellant withdraws or abandons the appeal.

(2) The procedural time requirement may be waived with the mutual consent of the appellant and the Executive Director.

- (3) The Executive Director may render a decision based on the correspondence and related documentation provided by the appellant and may consider other relevant sources of information deemed appropriate.
- (d) Executive Director's Decision.

The decision of the Executive Director shall be in writing and shall provide the rationale for the decision.
- (e) Request for Appeal Hearing by Board.
 - (1) If a county, city, or city and county facility is dissatisfied with the decision of the Executive Director, it may file a request for an appeal hearing with the ~~Board of Corrections~~Corrections Standards Authority. Such appeal shall be filed within 30 calendar days after receipt of the Executive Director's decision.
 - (2) The request shall be in writing and:
 - (A) state the basis for the dissatisfaction;
 - (B) state the action being requested of the Board; and,
 - (C) attach any correspondence related to the appeal from the Executive Director.
- (f) Board Hearing Procedures.
 - (1) The hearing shall be conducted by a hearing panel designated by the Chairman of the Board at a reasonable time, date, and place, but not later than 21 days after the filing of the request for hearing with the Board, unless delayed for good cause. The Board shall mail or deliver to the appellant or authorized representative a written notice of the time and place of hearing not less than 7 days prior to the hearing.
 - (2) The procedural time requirements may be waived with mutual consent of the parties involved.
 - (3) Appeal hearing matters shall be set for hearing, heard, and disposed of by a notice of decision within 60 days from the date of the request for appeal hearing, except in those cases where the appellant withdraws or abandons the request for hearing or the matter is continued for what is determined by the hearing panel to be good cause.
 - (4) An appellant may waive a personal hearing before the hearing panel and, under such circumstances, the hearing panel shall consider the written information submitted by the appellant and other relevant information as may be deemed appropriate.
 - (5) The hearing is not formal or judicial in nature. Pertinent and relative information, whether written or oral, shall be accepted. Hearings shall be tape recorded.
 - (6) After the hearing has been completed, the hearing panel shall submit a proposed decision in writing to the ~~Board of Corrections~~Corrections Standards Authority at its next regular meeting.
- (g) ~~Board of Corrections~~Corrections Standards Authority' Decision.
 - (1) The ~~Board of Corrections~~Corrections Standards Authority, after receiving the proposed decision, may:
 - (A) adopt the proposed decision;

- (B) decide the matter on the record with or without taking additional evidence; or,
- (C) order a further hearing to be conducted if additional information is needed to decide the issue.
- (2) the Board, or notice of a new hearing ordered, notice of decision or other such actions shall be mailed or otherwise delivered by the Board to the appellant.
- (3) The record of the testimony exhibits, together with all papers and requests filed in the proceedings and the hearing panel's proposed decision, shall constitute the exclusive record for decision and shall be available to the appellant at any reasonable time for one year after the date of the Board's notice of decision in the case.
- (4) The decision of the ~~Board of Corrections~~ Corrections Standards Authority shall be final.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1027. Number of Personnel.

A sufficient number of personnel shall be employed in each local detention facility to conduct at least hourly safety checks of inmates through direct visual observation of all inmates and to ensure the implementation and operations of the programs and activities required by these regulations. There shall be a written plan that includes the documentation of routine safety checks.

Whenever there is an inmate in custody, there shall be at least one employee on duty at all times in a local detention facility or in the building which houses a local detention facility who shall be immediately available and accessible to inmates in the event of an emergency. Such an employee shall not have any other duties which would conflict with the supervision and care of inmates in the event of an emergency. Whenever one or more female inmates are in custody, there shall be at least one female employee who shall in like manner be immediately available and accessible to such females.

Additionally, in Type IV programs the administrator shall ensure a sufficient number of personnel to provide case review, program support, and field supervision.

In order to determine if there is a sufficient number of personnel for a specific facility, the facility administrator shall prepare and retain a staffing plan indicating the personnel assigned in the facility and their duties. Such a staffing plan shall be reviewed by the ~~Board of Corrections~~ Corrections Standards Authority staff at the time of their biennial inspection. The results of such a review and recommendations shall be reported to the local jurisdiction having fiscal responsibility for the facility.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, 6031 and 6031.1, Penal Code.

1028. Fire and Life Safety Staff.

Pursuant to Penal Code Section 6030(c), effective January 1, 1980, whenever there is an inmate in custody, there shall be at least one person on duty at all times who meets the training standards established by the ~~Board of Corrections~~ Corrections Standards Authority for general fire and life safety. The facility manager shall ensure that there is at least one person on duty who trained in fire and life safety procedures that relate specifically to the facility.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1029. Policy and Procedures Manual.

Facility administrator(s) shall develop and publish a manual of policy and procedures for the facility. The policy and procedures manual shall address all applicable Title 15 and Title 24 regulations and shall be comprehensively reviewed and updated at least every two years. Such a manual shall be made available to all employees, ~~and shall be updated at least annually.~~

- (a) The manual for Temporary Holding, Type I, II, and III facilities shall provide for, but not be limited to, the following:
 - (1) Table of organization, including channels of communications.
 - (2) Inspections and operations reviews by the facility administrator/manager.
 - (3) Policy on the use of force.
 - (4) Policy on the use of restraint equipment.
 - (5) Procedure and criteria for screening newly received inmates for release per Penal Code Sections 849(b)(2) and 853.6, and any other such processes as the facility administrator is empowered to use.
 - (6) Security and control including physical counts of inmates, searches of the facility and inmates, contraband control, and key control. Each facility administrator shall, at least annually, review, evaluate, and make a record of security measures. The review and evaluation shall include internal and external security measures of the facility.
 - (7) Emergency procedures include:
 - (A) fire suppression preplan as required by Section 1032 of these regulations;
 - (B) escape, disturbances, and the taking of hostages;
 - (C) civil disturbance;
 - (D) natural disasters;
 - (E) periodic testing of emergency equipment; and,
 - (F) storage, issue, and use of weapons, ammunition, chemical agents, and related security devices.
 - (8) Suicide Prevention.
 - (9) Segregation of Inmates.

The policies and procedures required in subsections (6) and (7) may be placed in a separate manual to ensure confidentiality.

- (b) The manual for court holding facilities shall include all of the procedures listed in subsection (a), except number (5)

- (c) The manual for Type IV facilities shall include, in addition to the procedures required in subsection (a), except number (5), procedures for:
 - (1) accounting of inmate funds;
 - (2) community contacts;
 - (3) field supervision;
 - (4) temporary release; and
 - (5) obtaining health care.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1032. Fire Suppression Preplanning.

Pursuant to Penal Code Section 6031.1(b), the facility administrator shall consult with the local fire department having jurisdiction over the facility, with the State Fire Marshal, or both, in developing a plan for fire suppression which shall include, but not be limited to:

- (a) a fire suppression pre-plan by the local fire department to be included as part of the manual of policy and procedures (15 California Code of Regulations 1029);
- (b) regular fire prevention inspections by facility staff on a monthly basis with two year retention of the inspection record;
- (c) fire prevention inspections as required by Health and Safety Code Section 13146.1(a) and (b) which requires annual inspections inspections at least once every two years;
- (d) an evacuation plan; and,
- (e) a plan for the emergency housing of inmates in the case of fire.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Sections 6030 and 6031.1, Penal Code.

1040. Population Accounting.

Except in court holding and temporary holding facilities, each facility administrator shall maintain an inmate demographics accounting system which reflects the monthly average daily population of sentenced and non-sentenced inmates by categories of male, female and juvenile. Facility administrators shall provide the ~~Board of Corrections~~ Corrections Standards Authority with applicable inmate demographic information as described in the Jail Profile Survey.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1044. Incident Reports.

Each facility administrator shall develop written policies and procedures for the maintenance of written records of all incidents which result in physical harm, or serious threat of physical harm, to an employee or inmate of a detention facility or other person. Such records shall include the names of the persons involved, a description of the incident, the actions taken, and the date and time of the occurrence. Such a written record shall be prepared by the staff assigned to investigate the incident and submitted to the facility manager or his/her designee within 24 hours of the event of an incident.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1045. Public Information Plan.

Each facility administrator of a Type I, II, III or IV facility shall develop written policies and procedures for the dissemination of information to the public, to other government agencies, and to the news media. The public and inmates shall have available for review of the following material:

- (a) The State ~~Board of Corrections~~ Corrections Standards Authority minimum standards for local detention facilities as found in Title 15 of the California Code of Regulations.
- (b) Facility rules and procedures affecting inmates as specified in sections:
 - (1) 1045, Public Information Plan
 - (2) 1061, Inmate Education Plan
 - (3) 1062, Visiting
 - (4) 1063, Correspondence
 - (5) 1064, Library Service
 - (6) 1065, Exercise and Recreation
 - (7) 1066, Books, Newspapers, ~~and~~ Periodicals and Writings
 - (8) 1067, Access to Telephone
 - (9) 1068, Access to Courts and Counsel
 - (10) 1069, Inmate Orientation
 - (11) 1070, Individual/Family Service Programs
 - (12) 1071, Voting
 - (13) 1072, Religious Observance
 - (14) 1073, Inmate Grievance Procedure
 - (15) 1080, Rules and Disciplinary Penalties
 - (16) 1081, Plan for Inmate Discipline
 - (17) 1082, Forms of Discipline
 - (18) 1083, Limitations on Discipline
 - (19) 1200, Responsibility for Health Care Services

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1046. Death in Custody.

(a) Death in Custody Reviews for Adults and Minors

The facility administrator, in cooperation with the health administrator, shall develop written policy and procedures to assure that there is a review of every in-custody death. The review team shall include the facility administrator and/or the facility manager, the health administrator, the responsible physician and other health care and supervision staff who are relevant to the incident.

(b) Death of a Minor

In any case in which a minor dies while detained in a jail, lockup, or court holding facility:

- (1) The administrator of the facility shall provide to the ~~Board of Corrections~~ Corrections Standards Authority a copy of the report submitted to the Attorney General under Government Code Section 12525. A copy of the report shall be submitted to the Board within 10 calendar days after the death.
- (2) Upon receipt of a report of death of a minor from the administrator, the Board may within 30 calendar days inspect and evaluate the jail, lockup, or court holding facility pursuant to the provisions of this subchapter. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1055. Use of Safety Cell.

The safety cell described in Title 24, ~~Section 2-470A~~ Part II, Section 1231.2.5, shall be used to hold only those inmates who display behavior which results in the destruction of property or reveals an intent to cause physical harm to self or others. The facility administrator, in cooperation with the responsible physician, shall develop written policies and procedures governing safety cell use and may delegate authority to place an inmate in a safety cell to a physician.

In no case shall the safety cell be used for punishment or as a substitute for treatment.

An inmate shall be placed in a safety cell only with the approval of the facility manager, the facility watch commander, or the designated physician. Continued retention in a safety cell shall be reviewed a minimum of every eight hours. A medical assessment shall be completed within a maximum of 12 hours of placement in the safety cell or at the next daily sick call, whichever is earliest. The inmate shall be medically cleared for continued retention every 24 hours thereafter. A mental health opinion on placement and retention shall be secured within 24 hours of placement. Direct visual observation shall be conducted at least twice every thirty minutes. Such observation shall be documented.

Procedures shall be established to assure administration of necessary nutrition and fluids. Inmates shall be allowed to retain sufficient clothing, or be provided with a suitably designed "safety garment," to provide for their personal privacy unless specific identifiable risks to the inmate's safety or to the security of the facility are documented.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1056. Use of Sobering Cell.

The sobering cell described in Title 24, ~~Section 2-470A~~ Part II, Section 1231.2.4, shall be used for the holding of inmates who are a threat to their own safety or the safety of others due to their state of intoxication and pursuant to written policies and procedures developed by the facility administrator. Such inmates shall be removed from the sobering cell as they are able to continue in the processing. In no case shall an inmate remain in a sobering cell over six hours without an evaluation by a medical staff person or an evaluation by custody staff, pursuant to written medical procedures in accordance with Section 1213 of these regulations, to determine whether the prisoner has an urgent medical problem. Intermittent direct visual observation of inmates held in the sobering cell shall be conducted no less than every half hour.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1059. DNA Collection, Use of Force.

- (a) Pursuant to Penal Code Section 298.1, authorized law enforcement, custodial, or corrections personnel including peace officers, may employ reasonable force to collect blood specimens, saliva samples, or thumb or palm print impressions from individuals who are required to provide such samples, specimens or impressions pursuant to Penal Code Section 296 and who refuse following written or oral request.

(1) For the purpose of this regulation, the “use of reasonable force” shall be defined as the force that an objective, trained and competent correctional employee, faced with similar facts and circumstances, would consider necessary and reasonable to gain compliance with this regulation.

(2) The use of reasonable force shall be preceded by efforts to secure voluntary compliance. Efforts to secure voluntary compliance shall be documented and include an advisement of the legal obligation to provide the requisite specimen, sample or impression and the consequences of refusal.

- (b) The force shall not be used without the prior written authorization of the supervising officer on duty. The authorization shall include information that reflects the fact that the offender was asked to provide the requisite specimen, sample, or impression and refused.

~~(1)~~(c) If the use of reasonable force includes a cell extraction, the extraction shall be videotaped, including audio. Video shall be directed at the cell extraction event. The videotape shall be retained by the agency for the length of time required by statute. Notwithstanding the use of the video as evidence in a criminal proceeding, the tape shall be retained administratively.

~~(1) Within 10 days of the use of reasonable force pursuant to this regulation, the facility administrator shall send a report to the Board of Corrections, documenting a refusal to voluntarily submit the requisite specimen, sample or impression; the use of reasonable force to obtain the specimen, sample or impression, if any; the type of force used; the efforts undertaken to obtain~~

~~voluntary compliance; and whether medical attention was needed by the prisoner or other person as a result of reasonable force being used.~~

NOTE: Authority cited: Section 298.1, Penal Code. Reference: Section 6030, Penal Code.

1063. Correspondence.

The facility administrator shall develop written policies and procedures for inmate correspondence which provide that:

- (a) there is no limitation on the volume of mail that an inmate may send or receive;
- (b) inmate mail may be read when there is a valid security reason and the facility manager or his/her designee approves;
- (c) ~~inmates may correspond, confidentially, with~~ jail staff shall not review inmate correspondence to or from state and federal courts, any member of the State Bar or holder of public office, and the State ~~Board of Corrections~~ Corrections Standards Authority; however, jail authorities may open and inspect such mail only to search for contraband, cash, checks, or money orders and in the presence of the inmate;
- (d) inmates may correspond, confidentially, with the facility manager or the facility administrator; and,
- (e) those inmates who are without funds shall be permitted at least two postage paid letters each week to permit correspondence with family members and friends but without limitation on the number of postage paid letters to his or her attorney and to the courts.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1066. Books, Newspapers, ~~and Periodicals,~~ and Writings.

- (a) The facility administrator of a Type II or III facility shall develop written policies and procedures which will permit inmates to purchase, receive and read any book, newspaper, ~~or periodical,~~ or writing accepted for distribution by the United States Postal Service. Nothing herein shall be construed as limiting the right of the facility administrator to:
 - (1) exclude any publications or writings based on any legitimate penological interest;
 - ~~(1)(2)~~ (2) exclude obscene publications or writings, and mail containing information concerning where, how, or from whom such matter may be obtained; and any matter of a character tending to incite murder, arson, riot, violent racism, or any other form of violence; any matter of a character tending to incite crimes against children; any matter concerning unlawful gambling or an unlawful lottery; the manufacture or use of weapons, narcotics, or explosives; or any other unlawful activity;
 - ~~(2) exclude publications or writings based on the physical composition of the material or packaging, or to restrict the sources from which the jail will receive such materials where there is a valid security reason to justify such action;~~

- (3) open and inspect any publications or packages received by an inmate; ~~or, and~~
- (4) restrict the number of books, newspapers, ~~or magazines~~ periodicals, or writings the inmate may have in his/her cell or elsewhere in the facility at one time.
- (b) The facility administrator of a Type I facility shall develop and implement a written plan to make available a daily newspaper in general circulation, including a non-English language publication, to assure reasonable access to interested inmates.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1082. Forms of Discipline.

The degree of punitive actions taken by the disciplinary officer shall be directly related to the severity of the rule infraction. Acceptable forms of discipline shall consist of, but not be limited to, the following:

- (a) Loss of privileges.
- (b) Extra work detail.
- (c) Sshort term lockdown for less than 24 hours.
- (d) Removal from work details.
- (e) Forfeiture of "good time" credits earned under Penal Code Section 4019.
- (f) Forfeiture of "work time" credits earned under Penal Code Section 4019.
- (g) Disciplinary isolation.
- (h) Disciplinary isolation diet.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1101. Restrictions on Contact with Adult Prisoners.

The facility administrator shall establish policies and procedures to restrict contact, as defined in Section 1006, which ensure that contact between detained minors and adults confined in the facility, ~~shall be restricted as follows:~~

- (a) ~~verbal, non-verbal, or visual communication between minors and adult prisoners shall not be allowed;~~
- (b) ~~situations in which a minor and an adult prisoner may be in the same room, area or corridor are limited to:~~
 - (1) ~~booking;~~
 - (2) ~~awaiting visiting or sick call;~~
 - (3) ~~inmate workers present while performing work necessary for the operation of the facility, such as meal service and janitorial services;~~
 - (4) ~~movement of prisoners in custody within the facility.~~

~~When an adult prisoner, including an inmate worker, is present, facility staff trained in the supervision of inmate shall maintain a constant side presence with either the minor or the adult to assure there are no communications between the minor and the adult.~~

In situations where brief or accidental contact may occur, such as booking or facility movement, facility staff (trained in the supervision of inmates) shall maintain a constant, side-by-side presence with the minor or the adult to prevent sustained contact.

~~(e)~~ The above restrictions do not apply to minors who are participating in supervised program activities pursuant to Section 208 (c) of the Welfare and Institutions Code.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1105. Recreation Programs.

The facility administrator shall develop written policies and procedures to provide a recreation program that shall protect the welfare of minors and other inmates, recognize facility security needs and:

~~(a) comply with minimum jail standards for recreation, for minors who are 16 years or older; and,~~

~~(a) assure that minors under the age of 16 are provided with at least one hour of exercise and constructive leisure time activity each day, not including unstructured activities such as watching television. Exercise and constructive leisure time activity means an activity in an area designated for recreation and includes sports, games and physical exercise.~~

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1144. Contact Between Minors and Adult Prisoners.

The facility administrator shall establish policies and procedures to restrict contact, as defined in Section 1006, which ensure that contact between detained minors and adults confined in the facility, shall be restricted as follows:

~~(a) verbal, non-verbal, or visual communication between minors and adult prisoners shall not be allowed;~~

~~(b) situations in which a minor and an adult prisoner may be in the same room, area, or corridor are limited to:~~

~~(1) booking;~~

~~(2) medical screening;~~

~~(3) inmate workers present while performing work necessary for the operation of the facility, such as meal service and janitorial services; and,~~

~~(4) movement of prisoners in custody within the facility.~~

~~When an adult prisoner, including an inmate worker, is present, facility staff trained in the supervision of inmates shall maintain a constant side by side presence with either the minor or the adult to assure there are no communications between the minor and the adult.~~

In situations where brief or accidental contact may occur, such as booking or facility movement, facility staff (trained in the supervision of inmates) shall maintain a constant, side-by-side presence with the minor or the adult to prevent sustained contact.

NOTE: Authority cited: Section 6030, Penal Code; and Section 210.2 Welfare and Institutions Code.
Reference: Section 6030, Penal Code; and Section 210.2 Welfare and Institutions Code.

1151. Intoxicated and Substance Abusing Minors in a Lockup.

Facility administrators shall develop policies and procedures providing that a medical clearance shall be obtained for minors who are intoxicated by any substance, to the extent that they are unable to care for themselves.~~Any minor who displays outward signs of intoxication, or who is known or suspected to have ingested any substance that could result in a medical emergency, shall be medically cleared prior to reception at a facility.~~

Supervision of minors in secure detention ~~who have been cleared to enter the facility~~ display outward signs of intoxication shall include safety checks no less than once every 15 minutes until resolution of the intoxicated state or release. These safety checks shall be documented, with actual time of occurrence recorded.

Supervision of minors in nonsecure detention who display outward signs of intoxication shall be supervised in accordance with Section 1150.

NOTE: Authority cited: Section 6030, Penal Code; and Section 210.2 Welfare and Institutions Code.
Reference: Section 6030, Penal Code; and Section 210.2 Welfare and Institutions Code.

1161. Conditions of Detention.

Court holding facilities shall be designed to provide the following:

- (a) Separation of minors from adults in accordance with Section 208 of the Welfare and Institutions Code.
- (b) Segregation of minors in accordance with an established classification plan.
- (c) Secure non-public access, movement within and egress. If the same entrance/exit is used by both minors and adults, movements shall be scheduled in such a manner that there is no opportunity for contact.

An existing court holding facility built in accordance with construction standards at the time of construction shall be considered as being in compliance with this article unless the condition of the structure is determined by the appropriate authority to be dangerous to life, health, or welfare of minors. Upon notification of noncompliance with this section, the facility administrator shall develop and submit a plan for corrective action to the ~~Board of Corrections~~ Corrections Standards Authority within 90 days.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1209. Mental Health Services and Transfer to Treatment Facility.

- (a) The health authority, in cooperation with the mental health director and facility administrator, shall establish policies and procedures to provide mental health services.

These services shall include but not be limited to:

1. screening for mental health problems;
2. crisis intervention and management of acute psychiatric episodes;
3. stabilization and treatment of mental disorders; and,
4. medication support services.

(b) Unless the county has elected to implement the provisions of Penal Code Section 1369.1, Aa mentally disordered inmate who appears to be a danger to himself or others, or to be gravely disabled, shall be transferred for further evaluation to a designated Lanterman Petris Short treatment facility designated by the county and approved by the State Department of Mental Health for diagnosis and treatment of such apparent mental disorder pursuant to Penal Code section 4011.6 or 4011.8 unless the jail contains a designated treatment facility. Prior to the transfer, the inmate may be evaluated by licensed health personnel to determine if treatment can be initiated at the correctional facility. Licensed health personnel may perform an onsite assessment to determine if the inmate meets the criteria for admission to an inpatient facility, or if treatment can be initiated in the correctional facility.

(c) If the county elects to implement the provisions of Penal Code Section 1369.1, the health authority, in cooperation with the facility administrator, shall establish policies and procedures for involuntary administration of medications. The procedures shall include, but not be limited to:

1. Designation of licensed personnel, including psychiatrist and nursing staff, authorized to order and administer involuntary medication;
2. Designation of an appropriate setting where the involuntary administration of medication will occur;
3. Designation of restraint procedures and/or devices that may be used to maintain the safety of the inmate and facility staff;
4. Development of a written plan to monitor the inmate's medical condition following the initial involuntary administration of a medication, until the inmate is cleared as a result of an evaluation by, or consultation with, a psychiatrist;
5. Development of a written plan to provide a minimum level of ongoing monitoring of the inmate following return to facility housing. This monitoring may be performed by custody staff trained to recognize signs of possible medical problems and alert medical staff when indicated; and
6. Documentation of the administration of involuntary medication in the inmate's medical record.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1217. Psychotropic Medications.

The responsible physician, in cooperation with the facility administrator, shall develop written policies and procedures governing the use of psychotropic medications. An inmate found by a physician to be a danger to him/herself or others by reason of mental disorders may be involuntarily given psychotropic medication appropriate to the illness on an emergency basis. Psychotropic medication is any medication prescribed for

the treatment of symptoms of psychoses and other mental and emotional disorders. An emergency is a situation in which action to impose treatment over the inmate's objection is immediately necessary for the preservation of life or the prevention of serious bodily harm to the inmate or others, and it is impracticable to first gain consent. It is not necessary for harm to take place or become unavoidable prior to treatment.

If psychotropic medication is administered during an emergency, such medication shall be only that which is required to treat the emergency condition. The medication shall be prescribed by a physician in written form in the inmate's record following a clinical evaluation (either in person or by telephone). ~~or by verbal order in dosage appropriate to the inmate's need.~~ Verbal orders shall be entered in the inmate's record and signed by the ~~a~~ physician within 72 hours. The responsible physician shall develop a protocol for the supervision and monitoring of inmates involuntarily receiving psychotropic medication.

Psychotropic medication shall not be administered to an inmate absent an emergency unless the inmate has given his or her informed consent in accordance with Welfare and Institutions Code Section 5326.2, or has been found to lack the capacity to give informed consent consistent with the county's hearing procedures under the Lanterman-Petris-Short Act for handling capacity determinations and subsequent reviews.

There shall be a policy which limits the length of time both voluntary and involuntary psychotropic medications may be administered and a plan of monitoring and re-evaluating all inmates receiving psychotropic medications, including a review of all emergency situations.

The administration of psychotropic medication is not allowed for disciplinary reasons.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1230. Food Handlers.

The responsible physician, in cooperation with the food services manager and the facility administrator, shall develop written procedures for medical screening of inmate food service workers prior to working in the facility kitchen. Additionally, there shall be written procedures for education and ongoing monitoring and cleanliness of these workers in accordance with standards set forth in Section 114020 of the Health and Safety Code, California Uniform-Retail Food Facilities Law- Code.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1241. Minimum Diet.

The minimum diet provided shall be based upon the nutritional and caloric requirements found in the 1999-2002 Dietary Reference Intakes (DRI) of the Food and Nutrition Board, Institute of Medicine of the National Academies, the 1990 California Daily Food Guide, ~~and the 2000-2005~~ Dietary Guidelines for Americans. Facilities electing to provide vegetarian diets, and facilities that provide religious diets, shall also

conform to these nutrition standards. The nutritional requirements for the minimum diet are specified in the following subsections. A wide variety of food shall be served.

- (a) Protein Group. Includes beef, veal, lamb, pork, poultry, fish, eggs, cooked dry beans, peas, lentils, nuts, peanut butter and textured vegetable protein (TVP). One serving equals 14 grams or more of protein; the daily requirement shall be equal to three servings. In addition, there shall be a requirement to serve a fourth serving from the legumes three days a week.
- (b) Dairy Group. Includes milk (fluid, evaporated or dry; nonfat, 1% or 2% reduced fat, etc.); cheese (cottage, cheddar, etc.); yogurt; ice cream or ice milk; and pudding. A serving is equivalent to 8 oz. of fluid milk and provides at least 250 mg. of calcium. All milk shall be pasteurized and fortified with Vitamins A and D. The daily requirement is three servings. For persons 15-17 years of age, or pregnant and lactating women, the requirement is four servings. One serving can be from a calcium-fortified food containing at least 250 mg. of calcium.
- (c) Vegetable-Fruit Group. Includes fresh, frozen, dried and canned vegetables and fruits. One serving equals: ½ cup vegetable or fruit; 6 ounces of 100% juice; 1 medium apple, orange, banana, or potato; ½ grapefruit; or ¼ cup dried fruit. The daily requirement of fruits and vegetables shall be five servings. At least one serving shall be from each of the following three categories:
 - (1) One serving of a fresh fruit or vegetable.
 - (2) One serving of a Vitamin C source containing 30 mg. or more.
 - (3) One serving of a Vitamin A source, fruit or vegetable, containing 2000 micrograms Retinol Equivalents (RE) or more.
- (d) Grain Group. Includes bread, rolls, pancakes, sweet rolls, ready-to-eat cereals, cooked cereals, corn bread, pasta, rice, tortillas, etc. and any food item containing whole or enriched grains. At least three servings from this group must be made with some whole grains. The daily requirements shall be a minimum of six servings.

~~The following bread-cereal products meet the partial or whole grain requirement:~~

oatmeal	whole wheat bread
pumpnickel bread	corn tortilla
whole wheat rolls	whole grain hot cereal
whole wheat flour	grits
tortilla	whole grain pancakes
whole grain bagels,	and waffles
muffins, and	
crackers	
whole grain ready-to-eat cereal	

Providing only the minimum servings outlined in this regulation is not sufficient to meet the inmates' caloric requirements. Additional servings from the dairy, vegetable-fruit, and bread-cereal groups must be provided in amounts to meet caloric requirements. In keeping with chronic disease prevention goals, total dietary fat should not exceed 30 percent of total calories on a weekly basis. Fat shall be added only in minimum amounts necessary to make the diet palatable.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1243. Food Service Plan.

Facilities shall have a written food service plan that shall comply with the applicable California Retail Food Code. ~~Uniform Retail Food Facilities Law (CURFFL)~~.—In facilities with an average daily population of 100 or more, there shall be employed or available, a trained and experienced food services manager to prepare and implement a food service plan. In facilities of less than an average daily population of 100 that do not employ or have a food services manager available, the facility administrator shall prepare a food service plan. The plan shall include, but not limited to, the following policies and procedures:

- (a) menu planning;
- (b) purchasing;
- (c) storage and inventory control;
- (d) food preparation;
- (e) food serving;
- (f) transporting food;
- (g) orientation and ongoing training;
- (h) personnel supervision;
- (i) budgets and food cost accounting;
- (j) documentation and record keeping;
- (k) emergency feeding plan;
- (l) waste management; and
- (m) maintenance and repair.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1245. Kitchen Facilities, Sanitation, and Food Storage.

- (a) Kitchen facilities, sanitation, and food preparation, service, and storage shall comply with standards set forth in Health and Safety Code, Division 104, Part 7, Chapters ~~4 1-13~~, ~~Articles 1-8~~, Sections 113700 et seq. California ~~Uniform Retail Food Code~~. Facilities Law (CURFFL).
- (b) In facilities where inmates prepare meals for self-consumption or where frozen meals or pre-prepared food from other permitted food facilities (see Health and Safety Code Section ~~113920~~ 114381) are (re)heated and served, the following applicable ~~CURFFL~~ California Retail Food Code standards may be waived by the local health officer:
 - (1) H & S Sections 114130-114141~~114065~~;
 - (2) H & S Sections 114099.6, 114095-114099.5, 114101-114109, 114123, and 114125-114090(b) and (e), if a domestic or commercial dishwasher capable of providing heat to the surface of the utensils of a temperature of at least 165 degrees Fahrenheit, is used for the purpose of cleaning and sanitizing multi-service utensils and multi-service consumer utensils;

- (3) H & S Sections 114149-114149.3 ~~114140~~ except that, regardless of such a waiver, the facility shall provide mechanical ventilation sufficient to remove gases, odors, steam, heat, grease, vapors and smoke from the kitchen;
- (4) H & S Sections 114268-114269 ~~114150(a);~~ and
- (5) H & S Sections 114279-114282 ~~114165(b);~~

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1247. Disciplinary Isolation Diet.

(a) A disciplinary isolation diet which is nutritionally balanced may be served to an inmate. No inmate receiving a prescribed medical diet is to be placed on a disciplinary isolation diet without review by the responsible physician or pursuant to a written plan approved by the physician. Such a diet shall be served twice in each 24 hour period and shall consist of one-half of the loaf (or a minimum of 19 oz. cooked loaf) described below or other equally nutritious diet, along with two slices of whole wheat bread and at least one quart of drinking water if the cell does not have a water supply. The use of a disciplinary isolation diet shall constitute an exception to the three-meal-a-day standard. Should a facility administrator wish to provide an alternate disciplinary diet, such a diet shall be submitted to the ~~Board of Corrections~~ Corrections Standards Authority for approval.

(b) The disciplinary diet loaf shall consist of the following:

- 2-1/2 oz. nonfat dry milk
- 4-1/2 oz. raw grated potato
- 3 oz. raw carrots, chopped or grated fine
- 1-1/2 oz. tomato juice or puree
- 4-1/2 oz. raw cabbage, chopped fine
- 7 oz. lean ground beef, turkey or rehydrated, canned, or frozen Textured Vegetable Protein (TVP)
- 2-1/2 fl. oz. oil
- 1-1/2 oz. wheat flour
- 1/4 tsp. salt
- 4 tsp. raw onion, chopped
- 1 egg
- 6 oz. dry red beans, pre-cooked before baking (or 16 oz. canned or cooked red kidney beans)
- 4 tsp. chili powder

Shape into a loaf and bake at 350-375 degrees for 50-70 minutes.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1262. Clothing Exchange.

There shall be written policies and procedures developed by the facility administrator for the scheduled exchange of clothing. Unless work, climatic conditions, illness, or ~~California Uniform Retail Food Facilities Law~~ Retail Food Code, necessitates more

frequent exchange, outer garments, except footwear, shall be exchanged at least once each week. Undergarments and socks shall be exchanged twice each week.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

1272. Mattresses.

Any mattress issued to an inmate in any facility shall be enclosed in an easily cleaned, non-absorbent ticking, and conform to the size of the bunk as referenced in Title 24, Section 2-470A.3.5, Beds. Any mattress purchased for issue to an inmate in a facility which is locked to prevent unimpeded access to the outdoors shall be certified by the manufacturer as meeting all requirements of the State Fire Marshal and the Bureau of Home Furnishings' test standard for penal mattresses at the time of purchase. ~~Technical Information Bulletin Number 121 dated April 1980.~~

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.